



**State of Colorado Comments
VBI70 OU1 Proposed Alternatives
December 21, 2001**

EPA's proposed remedial action objective for arsenic in soil at the VBI70 site at an excess lifetime cancer risk associated with ingestion of soil that is equal to 1×10^{-4} . That corresponds to a soil concentration of 240 ppm.

The state acknowledges the high quality of the risk assessment and the conservatism used in the derivation of the risk based number. However, we do not support selecting a value at the high end of the acceptable risk range as the remedial action objective for arsenic in soil at VBI70.

The state believes that the NCP and OSWER Directive 9355.0-30 require EPA to use 10^{-6} as a point of departure and that this approach should be used at VBI70.

The state believes that using the 10^{-4} as a cleanup target is not consistent with historical Superfund cleanup decisions and does not want to set such a precedent now.

The state has consistently taken the position that all impacted Denver communities should receive equal protection and that the citizens in the VBI70 area deserve a cleanup that is at least as protective as the cleanup provided to residents of the Globeville neighborhood.

Such a cleanup would correspond to a risk range of 3×10^{-5} to 8×10^{-5} . Based on site-specific information obtained for VBI70, this corresponds to a cleanup level for arsenic in soil that would fall between 42 ppm and 128 ppm.

This approach addresses the following community concerns:

- 1) The community has consistently expressed concern about the potential for multiple or cumulative exposures to human health or environmental hazards in their communities.
- 2) The Colorado Central Cancer Registry (CCCR) compiled statistics for the VBI70 area in response to a request by the community which concluded that in fact, when compared to the Denver metro area as a whole, the VBI70 study area contains several census tracts where there is a higher than expected incidence of certain types of cancers.
- 3) The community has not yet been given an opportunity to comment on the FS, but through comments made by community representatives in Working Group meetings, it is clear that the community would like a more protective cleanup for arsenic, and for lead.

There is no technical reason why performing more soil removals is a problem. The cost of doing additional cleanup, while not insignificant, is a good investment in confronting the problem upfront.

The state supports the concept of a community health program, however, we want to ensure that it is not used as a substitute for performing adequate cleanup.

Therefore, the state proposes a more protective cleanup for both arsenic and lead in conjunction with a community health program.

The attached table presents several additional scenarios not presented in the FS that the state believes should be considered for VBI70.

Comparison of Alternatives 12/21/01

	Alternative 3 As > 240 ppm Pb > 540 ppm	Alternative 4 As > 128 ppm Pb > 540 ppm	Alternative 4A As > 47 ppm Pb > 540 ppm	Alternative 4B As > 128 ppm Pb > 400 ppm	Alternative 4C As > 47 ppm Pb > 400 ppm	Alternative 5 As > 47 Pb > 208
Arsenic only	105	306	384	306	384	384
Arsenic & Lead	8	31	*37	70	115	479
Lead only	89	66	66	276	276	1259
Total # of properties	202	403	487	652	775	2122
Total Estimated Capital Cost	\$6,770,416	\$13,154,317	\$15,822,216	\$21,062,731	\$24,969,297	\$65,995,000

* Numbers in bold italic were derived from data outside of the FS and are therefore approximate

None of the alternatives contain the ongoing costs of a Community Health Program